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7 Attorneys for Plaintiff and [Proposed] Substituted Plaintiff
8 THE RETIREMENT PLAN FOR PHYSICIANS AND
9 SALARIED EMPLOYEES OF THE PERMANENTE
MEDICAL GROUP, INC. and THE PERMANENTE
MEDICAL GROUP, INC.

10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 THE RETIREMENT PLAN FOR
14 PHYSICIANS AND SALARIED
15 EMPLOYEES OF THE PERMANENTE
16 MEDICAL GROUP, INC.,

No. C06 3890 MJJ

**STIPULATION AND [PROPOSED]
ORDER FOR FILING OF AMENDED
COMPLAINT**

16 Plaintiff,

17 v.

18 LINDY L. MARK,

19 Defendant.

21 **STIPULATION**

22 Pursuant to Federal Rules of Civil Procedure 15(a) and 21, the parties stipulate as follows:

23 1. The Retirement Plan for the Physicians and Salaried Employees of the Permanente
24 Medical Group, Inc. (the "Plan") filed this action on June 22, 2006.

25 2. On July 11, 2006, Defendant Lindy Li Mark's attorney, Michael Low, properly
26 accepted service of the Summons and Complaint in this action on her behalf. He executed a
27 Notice and Acknowledgement of Receipt of Summons and Complaint on July 24, 2006.

28 3. The parties now agree that The Permanente Medical Group, Inc. ("TPMG") may

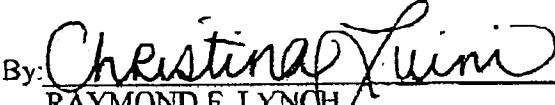
1 be substituted for the Plaintiff as the Plaintiff in this action.

2 4. The parties hereby stipulate that a First Amended Complaint, a copy of which is
 3 attached hereto, naming TPMG as the Plaintiff in this action may be filed with the Court.

4 5. The parties further stipulate that, as provided by Federal Rule of Civil Procedure
 5 15(a), Defendant Mark shall plead in response to the First Amended Complaint within the time
 6 remaining for response to the original pleading or within ten (10) days after the First Amended
 7 Complaint is filed with the Court, whichever period may be the longer.

8 DATED: August 11, 2006

9 HANSON BRIDGETT MARCUS
 VLAHOS & RUDY, LLP

10 By: 
 11 RAYMOND F. LYNCH
 12 CHRISTINA A. LUINI
 13 Attorneys for Plaintiff and [Proposed]
 14 Substituted Plaintiff
 15 THE RETIREMENT PLAN FOR
 16 PHYSICIANS AND SALARIED
 17 EMPLOYEES OF THE PERMANENTE
 18 MEDICAL GROUP, INC. and THE
 19 PERMANENTE MEDICAL
 20 GROUP, INC.

21 DATED: August 14, 2006

22 YOUNGMAN, ERICSSON & LOW LLP

23 By: 
 24 MICHAEL J. LOW
 25 Attorneys for Defendant
 26 LINDY L. MARK

27 PROPOSED ORDER

28 Pursuant to the parties' stipulation, a First Amended Complaint naming The Permanente
 29 Medical Group Inc. as the Plaintiff in this action may be filed with this Court. Defendant Lindy
 30 Mark shall plead in response to this First Amended Complaint within the time remaining for
 31 response to the original pleading or within ten (10) days after the First Amended Complaint is

1 filed with the Court, whichever period may be the longer.

2 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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4 Dated: August 22, 2006


HON. MARTIN J. JENKINS
United States District Judge

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